

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

GARY DANIEL MOSSOIAN,

Plaintiff,

Case Number 09-14151-BC  
Honorable Thomas L. Ludington

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION, REMANDING FOR  
FURTHER PROCEEDINGS, GRANTING PLAINTIFF'S MOTION FOR SUMMARY  
JUDGMENT, AND DENYING DEFENDANT'S MOTION FOR SUMMARY  
JUDGMENT**

This matter is before the Court on a report issued by Magistrate Judge Virginia M. Morgan on August 18, 2010. Judge Morgan recommends remanding the case for further proceedings, because the Administrative Law Judge did not fully develop the record given Plaintiff's self-representation. As of today's date, no party has filed any objections to the magistrate judge's report and recommendation. The election to not file objections to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [Dkt # 14] is **ADOPTED**. The matter is **REMANDED** to the Commissioner for further proceedings consistent with the Judge Morgan's report and recommendation.

It is further **ORDERED** that Plaintiff's motion for summary judgment [Dkt. # 10] is **GRANTED**, and that Defendant's motion for summary judgment [Dkt. # 13] is **DENIED**.

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

Dated: September 14, 2010

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on September 14, 2010.

s/Tracy A. Jacobs  
TRACY A. JACOBS